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and Certain Mesothelioma Plaintiffs*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

In re: )  
LTL MANAGEMENT LLC, ) Adv. Pro. 23-01092-MBK  
Debtor. ) BK Case: 23-12825-MBK

**MRHFM'S OBJECTION TO DEBTOR'S CONFIDENTIALITY DESIGNATIONS**

MRHFM joins the Objection to Debtor's Confidentiality Designations filed by Kazan, McClain, Satterley and Greenwood (Adv. Pro. Dkt. 95) and the letter filed by the TCC (*see* Letter of Donald Clarke (April 28th) (Adv. Pro. Dkt. 98) and Exhibit A (April 25th) (Adv. Pro. Dkt. 98-1)), and adopt all arguments advanced therein.

Johnson & Johnson has repeatedly and publicly boasted that its plan is wonderful and is supported by thousands of claimants. *See Ex.* 1, Appendix of Johnson & Johnson

Statements.<sup>1</sup> The Company can make these assertions—free from contradiction—because the Term Sheet (which includes the plan’s details), the Debtor’s board minutes, and large chunks of deposition testimony are hidden from public view. Why? Because LTL says all of this is “confidential.”<sup>2</sup>

J&J and LTL thus continue their “sword and shield” approach to confidentiality, ostensibly, they claim, under the cloak of this Court’s orders in *LTL1*. J&J says the plan is great, but the public can’t see it. J&J claims the plan has broad support, but the minutes of LTL’s board meetings and deposition testimony of John Kim (LTL’s Chief Legal Officer), Erik Haas (J&J’s Vice President of Litigation), James Murdica (J&J outside counsel) and lawyers supporting the plan are heavily redacted.

The relevance of this material is obvious. For example, the oppositions filed to Ms. Ellis’ appointment as FCR contained several redactions. *See TCC Obj.*, Case 23-12825-MBK, Dkt. 311, pgs. 11-14; US Trustee Obj., Dkt. 321, ¶ 24. Given J&J’s and LTL’s constant public statements regarding these matters, there is no legal or factual justification for the Term Sheet (TCC Exhibit 4 at hearing on April 18th), board minutes (TCC Exhibits 5 & 6) or deposition testimony about the plan and the alleged support for it to be “confidential.” Justice demands the Court end this abuse.

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<sup>1</sup> Johnson & Johnson has issued press releases saying it has “commitments from over 60,000 current claimants” (April 4th) to support the plan and that “thousands more will join” them (April 18th).

<sup>2</sup> *See TCC’s Letter* (April 28th) related to the Motion to Dismiss, Case 23-12825-MBK, Dkt. 345. MRHFM adopts all the arguments advanced therein.

This Court wrote in *LTL1* that it would “endeavor to ensure that those who are suffering currently, and in the future, have their day in court—this Court—and receive fair compensation under a comprehensive and transparent distribution scheme.” *In re LTL Mgmt.*, 637 B.R. 396, 426 (Bankr. D.N.J. 2022) (emphasis) *rev'd and remanded* 64 F.4th 84 (3d Cir. 2023). This case was filed in bad faith and will be dismissed, hopefully soon. But in the meantime, transparency must be enforced.

Respectfully submitted:

**MAUNE RAICHLE HARTLEY  
FRENCH & MUDD, LLC**



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